

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-RJK

**NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,**

Defendants.

**NORFOLK AND PORTSMOUTH BELT LINE RAILROAD COMPANY'S
SUPPLEMENTAL MOTION TO DISMISS ALL CLAIMS FOR STATE LAW
INJUNCTIVE RELIEF**

Defendant Norfolk and Portsmouth Belt Line Railroad Company ("Belt Line"), by counsel, pursuant to Rules 12(h)(2), 12(c), and alternatively 54(b), following this Court's grant of summary judgment, ECF 559, and dismissal of federal law injunctive relief, ECF 612, supplements its previous Motion to Dismiss All Remaining Claims, ECF 572, with this Supplemental Motion to Dismiss All Claims for State Law Injunctive Relief. For the reasons stated in the accompanying brief, to the extent any state law claims remain, they are time-barred, preempted, or both, and should be dismissed with prejudice. Accordingly, the Belt Line respectfully requests that this Court dismiss all remaining state law claims, enter final judgment in favor of the Belt Line, and grant the Belt Line all other just relief.

Dated: February 7, 2023

NORFOLK AND PORTSMOUTH
BELT LINE RAILROAD COMPANY

By: /s/ W. Ryan Snow
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CERTIFICATE OF SERVICE

I certify that on this 7th day of February 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a “Notice of Electronic Filing” to all counsel of record who have consented to electronic service.

/s/ W. Ryan Snow
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